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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

DANIEL CURRY; TYRONE HARRIS;
NICHOLAS MASON; and TYECHIA
WEBB; individually and on behalf of
others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., a Delaware
corporation; and COURIER LOGISTICS
SERVICES, L.L.C., a Florida limited
liability company;

Defendants.

Case No. 2:16-cv-00007-NVW

**STIPULATION AND PROPOSED ORDER
OF DISMISSAL WITH PREJUDICE
PURSUANT TO F.R.C.P. 41(a)(1)(A)(ii)**

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AMAZON LOGISTICS, INC.
(improperly sued as Amazon.com, Inc.)

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs Daniel Curry, Tyrone Harris, Nicholas Mason and Tyechia Webb ("Plaintiffs") and Defendants R.R. Donnelley & Sons Company, incorrectly sued as Courier Logistics Services L.L.C., and Amazon Logistics, Inc., incorrectly sued as Amazon.com, Inc. ("Defendants"), by and through their respective counsel of record, hereby stipulate to the entry of an order dismissing this action with prejudice. The Parties hereby stipulate and agree as follows:

WHEREAS, on January 5, 2016, Plaintiffs filed the above-captioned action in the United States District Court for the District of Arizona against Defendants alleging violations of the Fair Labor Standards Act ("FLSA") individually and as a collective action;

WHEREAS, there is a *bona fide* dispute as to the validity of Plaintiffs' FLSA claims;

WHEREAS, the Parties have reached a compromise to resolve Plaintiffs' individual FLSA claims and the Parties agree that the settlement is a fair and reasonable compromise of Plaintiffs' FLSA claims which was negotiated at "arm's length";

WHEREAS, the Settlement Agreement states that upon execution of the Settlement Agreement, a stipulation of dismissal with prejudice of this action will be filed with this Court along with a proposed order of dismissal including the Court's approval of the settlement of Plaintiffs' FLSA claims.

ACCORDINGLY, the Parties stipulate to the dismissal with prejudice of this action and the claims asserted by Plaintiffs, with each party to bear his, her, or its own attorneys' fees and costs.

THEREFORE, the Parties respectfully request that this Court enter the attached Order of Dismissal with Prejudice.

IT IS SO STIPULATED.

1 Dated: July 1, 2016

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3
4 By: /s/ Sean C. Davis

5 Sean C. Davis

6 Trey A. Davis

7 Attorneys for Plaintiffs
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9 NICHOLAS MASON; and TYECHIA WEBB

10 Dated: July 1, 2016

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18 Dated: July 1, 2016

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21 By: /s/ John S. Battenfeld

22 John S. Battenfeld

23 Christopher Banks

24 Attorneys for Defendant
25 AMAZON LOGISTICS, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of July, 2016, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

The following are those who are currently on the list to receive e-mail notices for this case.

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